

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**DANIELA RICKELL and  
GENE RICKELL,**

**Plaintiffs,**

**v.**

**USAA CASUALTY INSURANCE  
COMPANY**

**Defendant.**

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**Civil No. 1:18-CV-1279**

**Judge Sylvia H. Rambo**

**ORDER**

In accordance with the accompanying memorandum of law, **IT IS HEREBY ORDERED** that Defendant's motion to dismiss Count III of the complaint (Doc. 11,) is **GRANTED. IT IS FURTHER ORDERED** that Count III of Plaintiffs' complaint, (Doc 1,) is dismissed without prejudice.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: November 6, 2018